North Central Regional Transit District (NCRTD)

Resolution 2016-09

A RESOLUTION ADOPTING THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT'S TITLE VI PROGRAM WHICH PROHIBITS DISCRIMINATION ON THE BASIS OF RACE, COLOR, OR NATIONAL ORIGIN IN FEDERALLY FUNDED PROGRAMS AND ACTIVITIES.

WHEREAS, the North Central Regional Transit District (NCRTD) is a subrecipient of Federal funds from the Federal Transit Administration (FTA) that pass through the New Mexico Department of Transportation (NMDOT) and;

WHEREAS, the NCRTD, as a subrecipient through NMDOT of Federal funding, is mandated by FTA C4702.1A to adopt Title VI regulations (49 CFR part 21) and to integrate into their programs and activities considerations expressed in the Department's Order on Environmental Justice (Order 5610.2), and Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons (70 FR 74087, December 14, 2005).

NOW, THEREFORE, BE IT RESOLVED that the North Central Regional Transit District Board of Directors hereby adopts the Title VI policy for recipients and/or subrecipients of Federal funding (through the State) as shown in Exhibit "A" attached hereto and made part of this resolution.

PASSED, APPROVED AND ADOPTED BY THE GOVERNING BODY OF THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT ON THIS 4TH DAY OF MARCH 2016.

Daniel Barrone, Chair

Approved as to form:

Peter Dwyer, Counsel

NCRTD OFFICIAL DOCUMENT

Title VI Program

Fiscal Year 2016 - Fiscal Year 2019

Adopted March 4, 2016

NORTH CENTRAL REGIONAL TRANSIT DISTRICT

1327 N Riverside Drive, Española, NM 87532

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About NCRTD (North Central Regional Transit District):

The North Central Regional Transit District began service in 2007. It provides free and premium fare-based bus transit connecting communities and pueblos throughout the counties of north central New Mexico including Los Alamos, Rio Arriba, Santa Fe and Taos. Further expanding its reach, the signature RTD Blue Buses provide riders with connections to New Mexico Rail Runner, Santa Fe Trails, New Mexico Park and Ride, Los Alamos Atomic City Transit and Red River Miner's Transit. All of its buses are ADA accessible and equipped with bicycle racks. The RTD provides service on 23 Fixed and/or Flex, 1 Paratransit, 1 Dial-A-Ride and two Demand Response routes.

Governance, Boards and Committees:

NCRTD is governed by the NCRTD Board of Directors. The Board is composed of locally- elected officials. Member agencies may select senior staff members to serve as alternates.

Membership, officers and voting procedures are in accordance with the adopted Bylaws.

I. INTRODUCTION

1.1. Authorities

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the ground of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity receiving federal financial assistance (see 23 CFR 200 and 49 CFR 21). The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of "programs and activities" to include all programs or activities of Federal Aid recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100259 [S. 557] March 22, 1988).

1.2. Organization of the Title VI Plan

The Executive Director is responsible for ensuring implementation of the agency's Title VI program. The Title VI Coordinator, under supervision of the Executive Director, is responsible for coordinating the overall administration of the Title VI program, plan, and Assurances.

Five areas of NCRTD's work program have been identified as applicable to Title VI regulations and are referred to as the five Title VI Program Areas:

(1) Communications & Public Participation;
(2) Planning & Programming;
(3) Consultant Contracts;
(4) Education & Training;
(5) FTA Grant Administration

The District's Title VI responsibilities fall into two main categories:

A. GENERAL RESPONSIBILITIES Applicable to All Five Title VI Program Areas:

Data Collection

Demographic data on race, color, national origin, income level, language spoken, and sex of the region's population is to be compiled and maintained by NCRTD. This demographic data will be used to develop public outreach efforts and to conduct environmental justice analyses.

Title VI Report

A Title VI Report shall be prepared and submitted annually to NMDOT.

Copies are provided to NMDOT's Office of Equal Opportunity and the Director of the NMDOT Transportation Planning and Safety Division.
The report shall include:

- Record of Title VI investigations, complaints, or lawsuits.
- A copy of the Title VI notice to the public.
- A summary of public outreach and involvement activities

and a description of steps taken to ensure that minority persons had meaningful access to these activities.

Review of the Title VI Program

The Title VI Coordinator and Liaisons will review the agency's Title VI program to assure compliance with Title VI. In addition, they will review agency operational guidelines and publications, including those for contractors, to ensure that Title VI language and provisions are incorporated, as appropriate.

Dissemination of information

Information on the District's Title VI program is to be disseminated to agency employees, contractors, and beneficiaries, as well as to the public.

Resolution of Complaints

Any individual may exercise his or her right to file a complaint with NCRTD if that person believes that they or any other program beneficiaries have been subjected to unequal treatment or discrimination, in their receipt of benefits or services on the grounds of race, color, national origin, income, sex, or disability. NCRTD will make a concerted effort to resolve complaints informally at the lowest level, using the agency's Nondiscrimination Complaint Procedures.

B. PROGRAM AREA RESPONSIBILITIES Specific to Each Title VI Program Area:

One staff member has been assigned to each Title VI Program Area as that area's Title VI Liaison. Staff persons assigned as Title VI Liaisons generally have prime responsibility for those areas of the agency's work program. Title VI Liaisons, under supervision of the Title VI Coordinator, are responsible for the day-to-day administration of the Title VI program and for carrying out the "Program Area Responsibilities" in their assigned Title VI Program Area. Other staff members are assigned to assist the Liaisons or consulted and involved, as needed. Refer to Appendix A for an organization chart of staff with specific responsibilities in the District's Title VI program.

Responsibilities of the Title VI Coordinator

The Title VI Coordinator is responsible for supervising Title VI Liaisons in implementing, monitoring, and reporting on NCRTD's compliance with Title VI regulations. In support of this, the Title VI Coordinator will:

- Identify, investigate, and eliminate discrimination when found to exist.
- Process Title VI complaints received by NCRTD.
- Meet with the Liaisons quarterly to monitor and discuss progress, implementation, and compliance issues.
- Periodically review the Districts' Title VI program to assess if administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance.
- Work with Liaisons to develop and submit the Annual Title VI Report.
- Review important Title VI – related issues with the Executive Director, as needed.
- Assess communications and public involvement strategies to ensure adequate participation of impacted Title VI protected groups and address additional language needs when necessary.

Responsibilities of the Title VI Liaisons

(1) Communications & Public Participation; (Liaison-Public Information Officer)

(2) Planning & Programming; (Liaison- Regional Transit Planner)

(3) Consultant Contracts; (Liaison-Director of Operations)

(4) Education & Training; (Liaison-Human Resources Director)

(5) FTA Grant Administration; (Liaison-Transit Planning, Projects and Grants Manager)

The Title VI Liaisons, under the supervision of the Title VI Coordinator, are responsible for the day-to-day administration of the Title VI program, including implementation of the plan and Title VI compliance, program monitoring, reporting, and education within the assigned program area.

In addition, each Liaison is responsible for drafting text for their section of the Title VI Report, and maintaining the data and documentation necessary for that report. This includes reviewing guidelines and procedures for the assigned Title VI Program Area, and incorporating Title VI related language and provisions into district documents, as appropriate.

1.3. General Requirements for Title VI Program Content

Title VI prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that:

[n]o person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

As such, all recipients of FTA funds are required to have a Title VI program on file with FTA. This Program shall be attached in TEAM and updated every 3 years. Title VI Program Updates should be attached in TEAM at least 30 days prior to expiration.

1. Signed policy statement assuring compliance with Title VI of the Civil Rights Act of 1964.

2. Public notification process:
    - A copy of the agency's public notice that it complies with Title VI and the procedures the public may follow to file a discrimination complaint.
    - A summary of public outreach and involvement activities undertaken to assure that minority persons had meaningful access to the activity and/or services provided by your agency or organization.

3. Complaint process:
    - A copy of procedures for filing a Title VI complaint with your agency. The procedures should explain how complaints are identified as Title VI.

4. An analysis and implementation plan to assure meaningful access to services by people with Limited English Proficiency (LEP):
    - LEP Analysis should include:
        1. The nature and importance of service provided by or agency or organization;
        2. The number and proportion of LEP persons in the service area;
        3. Frequency of contact with LEP persons and the service provided;

4. The costs and availability of resources that could assure meaningful access to services by LEP persons.

- LEP Implementation Plan
  1. Identify LEP persons in the service area who need language assistance;
  2. Develop language assistance measures that are feasible for the agency or organization given the resources available;
  3. Train staff;
  4. Provide notice to LEP population of any and all measures that might change and/or improve access to services;
  5. Monitor progress and update plan on a regular basis;

5. A list of Title VI complaints, lawsuits, audits, reviews, etc. that are currently active and/or have occurred in the past 3 years.

6. Grantee must have the current Fiscal Year Certifications and Assurances PINned in TEAM-TrAMS.

1.4 Title VI Program Update Procedure

Once the requirements for a Title VI Program have been reviewed and approved by FTA, agencies and organizations do not need to re-submit a full Title VI program. Agencies may submit a Title VI Program Update no later than 30 days prior to the Title VI Program expiration date, if the Update meets following requirements:

1. The Program Update shall references the original Title VI Program and the date it was approved by the FTA office.

2. The Update shall include as-needed updates to the required elements of the Title VI Program. Including the public notice process, the LEP Analysis, the LEP Implementation Plan and/or the complaint process to reflect most current practice, policy, information and/or demographic data.

3. A list of Title VI complaints, lawsuits, audits, reviews, etc. that are currently active and/or have occurred in the past 3 years.

In addition, each grantee must have the current Fiscal Year Certifications and Assurances PINned in TEAM and/or TrAMS.

II. ELEMENTS OF TITLE VI PROGRAM

2.1. Policy Statement

The North Central Regional Transit District (NCRTD) is committed to ensuring that no person is excluded from participation in, or denied the benefits of, or be subject to discrimination in the receipt of its services or programs on the basis of race, color, national origin or any other characteristics protected by law, including Title VI of the Civil Rights Act of 1964, as amended. Further, under the Americans with Disability Act (ADA) of 1990, no entity shall discriminate against an individual with a physical or mental disability in connection with the provision of transportation service.

To obtain more information on NCRTD's nondiscrimination obligations or Title VI complaint procedure, please contact:

NCRTD Title VI Coordinator

North Central Regional Transit District

1327 North Riverside Drive

Espanola, NM 87532

For more information visit our website at ncrtd.org.

2.2. NCRTD Public Notice

The North Central Regional Transit District notifications are and will continue to be disseminated to customers, the general public, employees and contractors. Further, details regarding ongoing public outreach activities are provided below:

1) Title VI Beneficiary Notification – Customers

Title VI information posters will be prominently and publicly displayed in NCRTD facilities. A sample of the Public Title VI Notification is included in Appendix B-sample 1 and sample 2. Such notices will specify that the NCRTD operates a Title VI Program without regard to race, color, or national origin; describe how to request additional information about the NCRTD's Title VI Program; and explain how to file a discrimination complaint. This statement will be disseminated in English and Spanish. Further beneficiary notification will be provided by posting the Title VI Program Statement on the NCRTD website.

2) Title VI Beneficiary Notification – General Public (Community Outreach)

As a requirement of Title VI, NCRTD continually engages the public in its planning and decision-making processes, as well as its marketing and community outreach activities. Since its inception to the present time, the public routinely has been invited by the NCRTD to participate in a wide variety of public outreach activities.

3) Title VI Beneficiary Notification – Contractors and Subcontractors

All contracts awarded by NCRTD, where funding originates from any federal assistance, are subject to the provisions of Title VI of the Civil Rights Act of 1964.

NCRTD contracts will contain clauses specifying requirements for non-discrimination and related certifications, as applicable, either directly through the contract or through the bid specifications, which become an associated component of the contract and all second tier subcontracts that may be issued.

4) Title VI Beneficiary Notification – Employees

As provided in Appendix B-sample 1 and sample 2, this statement or a similar representation thereof, will be included in the Personnel Policy manual, and updated will be provided to existing employees as they occur and to new hires during new employee orientation. The statement serves to remind employees of the NCRTD's Title VI Program and of Title VI responsibilities in the performance of daily employment-related tasks and duties.

2.3. NCRTD Anti-Discrimination Title VI Complaint Procedure

How to file a Title VI Complaint?

The complainant may file a signed, written complaint up to one-hundred eighty (180) business days from the date of the alleged discrimination. The complaint should include the following information:

- ✓ Name, mailing address, and how to contact you (i.e., telephone number, email address, etc.)
- ✓ How, when, where and why you believe you were discriminated against to include the location, names and contact information of any witnesses.
- ✓ Other information that you deem significant.

The Title VI Discrimination Complaint form, a representation of which is presented in Appendix C, should be used to submit the complaint information. The complaint must be filed in writing with the North Central Regional Transit District (NCRTD) at the following address:

NCRTD Title VI Coordinator

North Central Regional Transit District

1327 North Riverside Drive

Espanola, NM 87532

The NCRTD encourages all complainants to certify mail that is sent through the U.S. Postal Service to ensure that all written correspondence can be tracked easily. An original, signed copy of the complaint must be received by the Title VI Coordinator as soon as possible, but no later than one-hundred eighty (180) business days from the alleged date of discrimination.

What happens to the complaint after it is submitted?

All written complaints alleging discrimination based on race, color or national origin in a service or benefit provided by NCRTD will be directly reviewed and addressed by the Title VI Coordinator in writing. The NCRTD will provide, to the maximum extent feasible, appropriate assistance to complainants, including assistance to those persons with disabilities, or to those who are limited in their ability to communicate in English. Additionally, NCRTD will make every effort to address all complaints in an expeditious and thorough manner as described below:

- A Letter Acknowledging Receipt of Complaint will be mailed within seven (7) business days of receipt of the complaint, a representation of which is presented in Appendix C.
- At this time, the Title VI Coordinator will conduct a preliminary investigation into the complaint through follow up written interviews with parties involved.
- Written documentation of the preliminary investigation will be maintained on file in the Title VI Coordinator's office.
- The NCRTD may request additional information from the complainant in the Letter.
- Acknowledging Receipt of Complaint. A complainant's failure to provide the requested information may result in the administrative closure of the complaint and no further action will be required by the MRCOG.

How will the complainant be notified of the outcome of the complaint?

The NCRTD will send a Written Response (refer to Appendix C) to the complainant as to whether the complaint is not substantiated or the complaint is substantiated. NCRTD's Title VI Coordinator will make every effort to send a Written Response to the complainant within ninety (90) business days of receipt of the complaint.

COMPLAINT NOT SUBSTANTIATED

As presented in Appendix C Written Response - Complaint Not Substantiated, the complainant will be advised of his or her right to:

1) Appeal within seven (7) business days of receipt of the Written Response and

2) Within 180 days of the alleged discrimination, file a complaint externally with the New Mexico Department of Transportation, and/or the Federal Highway Administration and/or the Federal Transit Administration of the U.S. Department of Transportation.

The complainant has the right to appeal the Written Response. Appeals in this instance must be submitted to the Title VI Coordinator in writing and must include new information not previously considered in the original complaint. Contingent upon the specifics related to the complaint, appeal investigations may include further findings of fact, and a hearing or other appropriate mechanisms which will result in a final written determination rendered, if feasible, within ninety (90) business days of receipt of the appeal request.

COMPLAINT SUBSTANTIATED

In the case where the complaint is substantiated, the Written Response will indicate that remedial efforts are being developed and implemented in order to mitigate disparate treatment. The complainant will be notified in a manner similar to that which is presented in Appendix C Complaint Substantiated, conceivably within ninety (90) business days of receipt of the complaint request.

2.4 LEP(Limited English Proficiency) Analysis and Implementation

FTA requires that the Title VI program include a plan for providing meaningful access to LEP persons.

Purpose

The purpose of this analysis is to ensure that no persons shall on the ground of race, color or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving financial assistance from the FTA.

What is an LEP person?

An LEP person is someone who speaks English less than very well.

Four Factor Analysis

To document what languages are spoken by LEP persons and to help determine language assistance efforts the following four factors have been analyzed:

1) **The number and proportion of LEP persons served or encountered in your service area**
2) **The frequency with which LEP individuals come into contact with NCRTD transit service**
3) **The nature and importance of your transit service**
4) **The language assistance resources available to assist LEP persons**

1) The number and proportion of LEP persons served or encountered in your service area

The primary source data on LEP populations is the U.S. Census.

2010 Census Numbers-LEP Persons						
Population 5 Years and Over by Language Spoken at Home and Ability to Speak English	Rio Arriba County	Taos County	Santa Fe County	Los Alamos County	Total	Percentage of Population 5 Years and Older
	37,431	31,009	136,135	17,055	221,630	
Speak English less than "very well"	2529	1849	15,728	523	20,629	9.3
Spanish	20,232	11,680	43,824	907	76,643	34.6
Speak English less than "very well"	2453	1637	14,906	228	19,224	8.7
Other Indo-European	204	200	2300	868	3572	1.6
Speak English less than "very well"	0	9	341	57	407	0.2
Asian and Pacific Island	104	193	888	655	1840	0.8
Speak English less than "very well"	0	129	281	238	648	0.3
All Other	2680	1253	1774	3	5710	2.6
Speak English less than "very well"	76	74	200	0	350	0.2

2) The frequency with which LEP individuals come into contact with NCRTD transit service

Surveys have been conducted with the NCRTD staff to determine the frequency of contact with LEP persons. The following NCRTD staff has been surveyed: bus drivers, customer service agents, administrative and management personnel. 17 Staff were surveyed; approximately 50% of respondents stated that they encounter a non-English speaking person on a weekly basis, 20% on a daily basis, and 30% on a monthly basis.

NCRTD Frequency of Contact with LEP Persons	
Frequency	Language Spoken by LEP Persons
Daily- 3	Spanish- 95%
Weekly- 8	Native Tribal Languages- 5%
Monthly- 5	
Less frequently than monthly- 1	

A sample of the survey is available in Appendix E.

3) The nature and importance of your transit service

The NCRTD is a flex-route and demand- response service that operates Monday- Friday from 0530-1900. We serve the 10,000 square mile area of Los Alamos, Rio Arriba, Santa Fe and Taos Counties and work regionally with Atomic City Transit, NM Park & Ride, NM Rail Runner, Santa Fe Trails, Santa Fe Pick up, Chile Line, Red River Transit and Popay Messenger Service. Specific locations served: Edgewood, Moriarty, Eldorado, NM Rail Runner Stations (from 599 north), multiple Santa Fe government offices, Santa Fe County Courts, Santa Fe Indian School, Indian Health Services, Cities of Gold Park & Ride, Espanola Park & Ride, Ohkay Owingeh Resort and Casino, Rio Arriba County Courts, Taos County Courts, Holy Cross Hospital, Presbyterian Hospital, multiple CYFD locations, multiple community schools, multiple shopping centers, Sipapu Ski and Summer Resort. Additionally, the Taos Express route is operated on the weekends from Taos to Santa Fe, from approximately 0900- 1230 and again from 1630-2015.

Essential services such as medical, court/municipal business, grocery shopping, education, employment. Recreational activity such as sight-seeing, visiting friends, shopping.

4) The language assistance resources available to assist LEP persons

The majority of NCRTD Staff understand both English and Spanish, with about 50% stating they are fluent and capable speakers of Spanish (as well as English). Given this, language assistance efforts have not been necessary thus far.

A bilingual Staff member will communicate the availability of language translation or interpretation upon request by the individual. In the future, the website will include a link to a translation app or program.

Implementation

✓ IDENTIFYING LEP INDIVIDUALS WHO NEED LANGUAGE ASSISTANCE

The approximate number of LEP individuals in the counties we serve, is 20,629 which represents 9% of the population. Most of these LEP individuals speak Spanish. More than 90% of all LEP individuals are Spanish speaking.

✓ LANGUAGE ASSISTANCE MEASURES

- The majority of Staff members at NCRTD understand basic Spanish. Approximately 50% of our employees consider themselves fluent and capable of speaking Spanish.
- Staff currently translates English to Spanish and vice versa on a regular basis and are capable of providing interpretation services.
- Additional in the future, Schedules and vital documents will be made available in Spanish.

✓ TRAINING STAFF

- Our Staff utilizes Google Translate (translates over 85 languages).
- Multiple free apps and programs that can be utilized to translate and interpret.
- In addition to making these free translation resources available to our employees, we will also train them to have a deeper understanding on how to be compliant with Title VI and accommodating LEP persons.

✓ PROVIDING NOTICE TO LEP PERSONS

- We will update our schedules to include Spanish and English. The website includes Google Translate to facilitate comprehension for LEP individuals.
- By translating written materials NCRTD will expand its means to let LEP personals know that language assistance is available.
- NCRTD currently provides written translation of the following:

-Title VI Information Poster
-Title VI Complaint Form

✓ MONITORING AND UPDATING LEP PLAN

- Periodically, the Title VI Coordinator reviews the demographics of the NCRTD service area and its riders to determine language assistance needed;
- Dispatchers are queried as to their day-to-day communication experiences.
- Community outreach meetings and Board meetings have resulted in significant public feedback.
- NCRTD will obtain results from the Service Surveys to guide improvements for LEP individuals. In addition internal monitoring will be done to see how many individuals complete application for service in Spanish.
- Based on this feedback, NCRTD will make changes to assistance in order to provide meaningful access for LEP persons. Upon assessment, the Title VI Coordinator will update accordingly to maintain compliance.

2.4. Investigations, Complaints and Lawsuits

NCRTD hereby confirms that there have not been any Title VI investigations, complaints or lawsuits filed with the Region. In the event that Title VI filings do occur, the NCRTD is prepared to maintain a list of any active investigations, lawsuits or complaints alleging discrimination on the basis of race, color or national origin. The list will include the date of the investigation, lawsuit, or complaint was filed; a summary of allegations; the status of the investigation, lawsuit or complaint; actions taken by NCRTD in response to the investigation, lawsuit or complaint.

The Title VI Coordinator shall maintain a log of Title VI complaints received. The log shall include the date the complaint was filed, a summary of the allegations, the status of the complaint, and actions taken in response to the complaint.

A log to record Investigations, Complaints and Lawsuits has been included in Appendix D which reaffirms compliance with this requirement.

2.5. Certifications and Assurances PINned in TEAM/TrAMS

Upon NCRTD Board approval, the Title VI Program will be uploaded and PINned into TEAM/ TrAMS.

III. PUBLIC PARTICIPATION PLAN

3.1. Federal Regulations

FTA requires that Title VI programs includes an outreach plan to engage minority and limited English proficient (LEP) populations. The plan may include other constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others.

Applicants to NMDOT for FTA assistance are required to comply with several requirements that help meet this Title VI requirement. These requirements include:

- ✓ Published notice of intent to apply to NMDOT for FTA assistance and participation in the public transit-human services transportation coordinated plan development.
- ✓ Open Board/ council meetings, council meetings of cities and counties that provide local funding, transit/client advisory committees.
- ✓ Public involvement efforts for transit development plans (TDPs), passenger surveys, marketing efforts, such as booths at fairs, and presentations to service and other organizations.

In accordance with Federal Transit Administration (FTA) Title VI Circular 4702.1B, *Promoting Inclusive Public Participation,* NCRTD offers continuous opportunities for the public to be involved in the identification of social, economic and environmental impacts of transit services.

- Provides community outreach efforts to ensure meaningful public involvement; and
- Employs a wide variety of outreach techniques in a myriad of venues to convey vital information throughout the NCRTD's service area.

NCRTD encourages active and meaningful public involvement in reviewing and commenting on policies and provisions affecting transit services to ensure a continuing, cooperative and comprehensive planning process.

3.2. Purpose

To establish procedures for public involvement in the provision of transit services among beneficiaries of the NCRTD's services, including but not limited to, low income and minority individuals as well as those with limited English proficiency.

3.3. Goals and Objectives

The goal of NCRTD's public participation plan is to support proactive inclusive public involvement at all stages of planning and project development. The performance standards for proactive public involvement include:

- ✓ Early and continuous involvement;
- ✓ Reasonable public availability of vital information with meaningful access;

- ✓ Collaborative input on alternatives, evaluation criteria and mitigation needs;
- ✓ Open public meetings in accessible locations; and open access to the decision-making process.

To achieve these objectives, NCRTD will:

- Ensure that the public is actively involved in the development of transit services;

3.4. Public Participation Tools and Activities

As a requirement of Title VI, NCRTD continually engages the public in its planning and decision-making processes, as well as its marketing and community outreach activities.

FTA Grant Application Process:

As a part of the FTA grant application process, NCRTD makes every attempt to publish its annual Program of Projects.

Board Meetings:

The NCRTD Board of Directors holds monthly meetings of which the public is invited to attend via notices posted on the NCRTD's website and published in local newspapers. Board meetings are held the first Friday of every month at 9:00am.

In addition, the county clerks in each of the four member counties post the Board meetings on their public notice boards and some of the on their websites as well. Board members notify their constituents through email outreach to mailing lists.

The Board Meetings are held at our administrative offices in Espanola located at the Jim West Center.

This locations is accessible for people with disabilities. Additionally this locations is served by transit during the hours that Board Meetings are held. The Riverside route stops in front of the building and operates on 30 minute headways.

Public Meetings:

When new or revised service is proposed, information is disseminated to the affected users, all revisions are posted on the NCRTD's website, notifications are sent to email users and public meetings, if required, are scheduled in advance. All such revisions require presentations to the NCRTD Board for formal adoption, which provides another avenue to inform the public.

NCRTD relies on other counties and cities for funding:

- ✓ NCRTD and Los Alamos County have an arrangement where the County contributes a set dollar amount toward regional transit.
- ✓ This agreement is revisited periodically, and the funding amount is not guaranteed. Los Alamos County constituents can either attend NCRTD Board meetings, request a meeting with NCRTD management, or speak with the Los Alamos representative on the NCRTD Board.

- ✓ In addition, a public hearing is held by the NCRTD Board on the proposed annual budget, so that interested parties may comment on the draft budget.

The NCRTD is involved with the area MPO and RPO, and presents service changes:

- ✓ Drivers routinely engage riders for feedback.
- ✓ Community outreach meetings are held when significant changes such as a service plan update or fare change are planned to occur.
- ✓ Passenger surveys are utilized to garner feedback.
- ✓ The website allows for the public to contact us and provide comments, Staff meets with stakeholders to discuss needs.

Information Displays, Booths, Fairs:

Public Information staff regularly schedule opportunities to interact with the general public to provide information about transit services throughout the community. That effort includes the dissemination of schedules and other informational items about transit services.

Bilingual Outreach:

As an important element of NCRTD's LEP Plan, staff is available to readily provide responses in Spanish to transit service inquiries. Translation assistance is utilized in outreach programs, and if requested, offered during program and public meetings. Notices are provided in both Spanish and English in newsprint, on facilities, and in vehicles.

3.5. *Identification of Need*

Minority populations constitute a significant percentage of the overall population, both within NCRTD's service area as well as the State of New Mexico as a whole.

Results from the 2010 Census indicate that, at 58 percent of the total population, both the entire state of New Mexico as well as NCRTD's specific service area have the highest percentages of persons of Hispanic or Latino Origin among the 50 states.

As indicated on the Table which is summarized below, Hispanics/Latinos make up the largest minority, with more than 48% of the total population. American Indian and Black persons account for 3.24% and 2.12% of the population, respectively. Asians and Pacific Islanders constitute 1.93% and 0.07% respectively. Those reporting Other Race (none of the above) were 0.22% and 1.63% identified with two or more races in the 2010 Census.

Hispanic/Latino	**48.89**
American Indian	**3.24**
Black	**2.12**
Asian	**1.93**
Pacific Islander	**0.07**
Other Race Two or More Races	**0.22**
	1.63

The low income population of NCRTD'S service area should be afforded every reasonable opportunity for meaningful access of the NCRTD's services. As with minority populations, additional measures may be instituted to reach out to this segment of the population. Some of those measures may include contacting public and non-profit agencies and distributing vital service information through those venues where such individuals may frequent. These agencies also may be able to provide additional insight into the transportation needs of their clients and may have recommendations as to ways in which the NCRTD may overcome barriers to accessible service for this population group.

IV. ADVISORY BOARDS

FTA requires that the Title VI program present the racial make-up of all transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, and a description of the efforts to encourage the participation of minorities on such committees.

NCRTD Board of Directors

Consists of 14 member entities including City of Santa Fe, Santa Fe County, Taos County, Tesuque Pueblo, Santa Clara Pueblo, San Ildefonso Pueblo, Rio Arriba County, City of Espanola, Pojoaque Pueblo, Nambe Pueblo, Los Alamos County, Ohkay Owingeh Pueblo, Town of Edgewood and the Town of Taos.

The Board exercises and performs all powers, privileges, and duties vested in or imposed upon the District as well as direct Staff.

Finance Subcommittee

To provide Staff direction and oversee financial practices and ensure transparency.

Asset Disposal Subcommittee

To provide direction and ensure transparency in asset disposal.

Tribal Subcommittee

To ensure Tribal needs are being served, provide an opportunity to discuss any special circumstances related to providing transit service to and within the Pueblos, and to ensure cultural sensitivities are respected and maintained.

How are members selected?

Board of Directors: A Director shall be an elected official or official designee, Tribal Governor or Tribal Council Member. The Director and official designee (if any) shall be nominated by the chief elected official of the Member and approved by the governing body of the Member. The Director shall hold such office until removed by the appointing Member, or until the Director no longer holds elective office in the governing body of the appointing Member, or until the Director submits a written resignation to the Chairman. Directors shall not serve a term longer than 4 years unless re-appointed by their Member governing body.

Subcommittee Members: The Board appoints Committees to advise the Board. The members of these Committees may include Directors, official designees, and Officers of the District as well as

individuals not members of the Board. When an Advisory Committee is formed, the Chair may appoint a regular member as its chair, or may direct the Committee to elect a chair at its first meeting, or direct the Committee to elect a chair at any time the chair of the Committee becomes vacant.

Racial makeup of each board and committee?

NCRTD Board of Directors (14 Members): 5 Hispanic, 5 Caucasian, 3 Native American (1 Member did not respond);

Finance Subcommittee (5 Members): 1 Native American, 3 Hispanic, 1 Caucasian; Asset Disposal Committee- 5 Members: 3 Hispanic, 2 Caucasian;

Tribal Subcommittee (6 Members): 3 Native American, 1 Hispanic, 1 Caucasian (1 Member did not respond);

What efforts are undertaken to encourage participation of minorities on these committees?

The NCRTD Board of Directors consists of a diverse cross-section of representatives from Member entities. Given the racial and ethnic diversity exhibited by our Board, resulting NCRTD subcommittees inherently reflect this as well; no encouragement is required to solicit non-Caucasian Member participation.

V. SUBRECEPIENTS

FTA requires your Title VI program to include procedures for monitoring sub recipients for compliance with Title VI.

NCRTD does not provide any FTA funds to other transit related agencies.

VI. FACILITY LOCATION EQUITY ANALYSIS

FTA requires Title VI program to include procedures for ensuring an equity analysis of facility locations is conducted during the planning for a construction of a new facility. The Transit and Rail Division ensures compliance with this requirement when providing FTA funding for a new facility.

VII. TITLE VI PLAN APPENDICES A-F

APPENDIX A

NCRTD Title VI Program Organizational Chart

APPENDIX B

Title VI Notice to the Public and Employees—SAMPLE 1

Your Rights Under Title VI

The North Central Regional Transit District (NCRTD) operates its programs and services without regard to race, color, or national origin in accordance with Title VI of the 1964 Civil Rights Act. Any person who believes that she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with our agency.

For more information on the NCRTD's civil rights program, and the procedures to file a complaint, please call phone #505.629.4713, email: anthonym@ncrtd.org; or visit our administrative offices at 1327 North Riverside Drive, Española, NM 87532. For more information, visit www.ncrtd.org.

A complainant may file a complaint directly with the Federal Transit Administration (FTA), Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590. Phone #: 202.366.4043.

For more information on the New Mexico Department of Transportation's civil rights program, and the procedures to file a complaint, please call phone #1.800.554.0936 or 505.827.1774, email: damian.segura@state.nm.us; or visit our administrative offices at 1596 Pacheco St., Santa Fe, NM 87505. For more information, visit www.dot.state.nm.us.

If this information is needed in another language, please contact the NCRTD at #505.629.4713.

El North Central Regional Transit District ofrece programas y servicios sin hacer distincion de raza, color y nación de origen, según el Título VI de la Ley de Derechos Civiles de 1964. Cualquier persona que cree que ha sido perjudiciada por una práctica discriminatoria ilegal bajo el Título VI, puede presentar una queja con la agencia.

Para obtener más información sobre el programa de derechos civiles del North Central Regional Transit District o sobre los procedimientos a seguir para presentar una queja, llame al #505.629.4713; o a traves de email, contacte al Director Ejectivo: anthonym@ncrtd.org; o visite nuestra oficina administrativas en 1327 North Riverside Drive, Española, NM 87532. Para obtener más información, visite www.ncrtd.org.

Tambien puede presentar una queja directamente a la Administración Federal de Tránsito (FTA), Oficina de Derechos Civiles, Atención: Coordinador del Programa de Título VI, East Building, 5th Floor TCR, 1200 New Jersey Ave, SE, Washington. , DC 20590. Teléfono#: 202.366.4043.

Para obtener más información sobre el programa de derechos civiles del Departamento de Transporte de Nuevo México o sobre los procedimientos a seguir para presentar una queja, llame al #1.800.554.0936 o al #505.827.1774; o a traves de email: damian.segura@state.nm.us; o visite la oficina administrativas en: 1596 Pacheco St., Santa Fe, NM 87505. Para obtener más información, visite www.dot.state.nm.us.

Si necesita información en otro idioma, por favor póngase en contacto con el NCRTD al #505.629.4713.

APPENDIX B

Title VI Notice to the Public and Employees—SAMPLE 2

Public Notification of Title VI

(Posted in the NCRTD public areas and NCRTD website)

The North Central Regional Transit District (NCRTD) is committed to ensuring that no person is excluded from participation in, or denied the benefits of, or be subject to discrimination in the receipt of its services or programs on the basis of race, color, national origin or any other characteristics protected by law, including Title VI of the Civil Rights Act of 1964, as amended. Further, under the Americans with Disability Act (ADA) of 1990, no entity shall discriminate against an individual with a physical or mental disability in connection with the provision of transportation service. To obtain more information on NCRTD's nondiscrimination obligations or Title VI complaint procedure, please contact the NCRTD Title VI Coordinator, North Central Regional Transit District, 1327 North Riverside Drive, Espanola, NM 87532.

For more information visit our website at www.ncrtd.org .

Employee Notification of Title VI

(Posted on NCRTD's employee bulletin boards and public areas, also referenced in the NCRTD Personnel Policies)

The North Central Regional Transit District (NCRTD) is committed to ensuring that no person is excluded from participation in, or denied the benefits of, or be subject to discrimination in the receipt of its services or programs on the basis of race, color, national origin or any other characteristics protected by law, including Title VI of the Civil Rights Act of 1964, as amended. Further, under the Americans with Disability Act (ADA) of 1990, no entity shall discriminate against an individual with a physical or mental disability in connection with the provision of transportation service. If you feel you are being discriminated against at the workplace, you may contact your supervisor or the Human Resources Manager for more information about the Title VI Program and the complaint process.

All employees are expected to consider, respect, and observe this policy in their daily work and duties. If a customer approaches you with a question or complaint about disparate treatment, direct him or her to Title VI Coordinator, who can provide a copy of the Title VI Plan and a Title VI Discrimination Complaint form

Abbreviated Title VI Notice for Publications

(Placed in the title page, table of contents page, or credits and acknowledgments page of NCRTD publications)

The North Central Regional Transit District (NCRTD) fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information or to obtain a Title VI Complaint Form, please contact the NCRTD Title VI Coordinator at (505) 629-4713-tel., (505) 747-3640-fax or visit our website at www.ncrtd.org.

APPENDIX C

Complaint Forms and Written Responses Samples

North Central Regional Transit District
Title VI Coordinator
1327 N. RIVERSIDE DR., ESPAÑOLA.
(505) 629-4713-tel. (505) 747-3640-fax
www.ncrtd.org

SAMPLE FORM-Title VI Discrimination Complaint Form

Name (please print): _____

Address:_____

Contact Phone: _____

EMAIL: _____

Describe Nature of Discrimination Complaint:

_____
_____
_____
_____

Date of Alleged Incident: _____

You were discriminated because of (Circle one):

- Race
- Color
- National Origin
- Other_____

Explain a briefly and clearly as possible what happened, where it happened and how you were discriminated against. Indicate who was involved. Be sure to include how other people were treated differently than you. Also attach any written material pertaining to your case.

Signature:_____Date: _____

Please mail or deliver this form to the attention of the Title VI Coordinator at the address provided above.

North Central Regional Transit District
Title VI Coordinator
1327 N. RIVERSIDE DR., ESPAÑOLA.
(505) 629-4713-tel. (505) 747-3640-fax
www.ncrtd.org

SAMPLE LETTER-Acknowledgement of Complaint

Date

Ms. Jane Doe 1234
Main St.
Any City, NM 88888 Dear

Ms. Doe:

This letter is to acknowledge receipt of your complaint against the North Regional Transit District alleging:

_____

_____

An investigation will begin immediately. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by writing to the North Central Regional Transit District, 1327 North Riverside Drive, Espanola, NM 87532.

Sincerely,

[Name]
Title VI Coordinator
North Central Regional Transit District

North Central Regional Transit District
Title VI Coordinator
1327 N. RIVERSIDE DR., ESPAÑOLA.
(505) 629-4713-tel. (505) 747-3640-fax
www.ncrtd.org

SAMPLE LETTER-Written Response/Complaint Not Substantiated

Date

Ms. Jane Doe 1234
Main St.
Any City, NM 88888

Dear Ms. Doe,

The matter referenced in your complaint of_____(date) against the North Central Regional Transit District alleging_____has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964 had been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal assistance.

The MRCOG has analyzed the materials and facts pertaining to your case for evidence of the district's failure to comply with any part of the civil rights law. There was no evidence that any part of the law had been violated. I, therefore, advise you that your complaint has not been substantiated and that I am closing this matter in our files.

You have the right to 1) appeal to the NCRTD administrative office within seven (7) business days of receipt of this final written decision, and 2) file a complaint externally within 180 days from the date of the alleged discrimination with the New Mexico Department of Transportation and/or the Federal Highway Administration (FHWA) and/or the Federal Transit Administration (FTA) of the U.S. Department of Transportation at:

Federal Transit Administration, Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, Fifth Floor – TRC 1200
New Jersey Avenue SE Washington,
DC 20590

Thank you for taking the time to contact us. If I can be of assistance to you in the future, please do not hesitate to contact me.

Sincerely,

[Name]
Title VI Coordinator

North Central Regional Transit District
Title VI Coordinator
1327 N. RIVERSIDE DR., ESPAÑOLA.
(505) 629-4713-tel. (505) 747-3640-fax
www.ncrtd.org

SAMPLE LETTER-Written Response/Complaint Substantiated

Date

Ms. Jane Doe 1234 Main
St.
Any City, NM 88888 Dear

Ms. Doe,

The matter referenced in your complaint of_____(date) against The North Central Regional Transit District alleging_____has been investigated.

Apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter, was/were identified. Efforts are underway to correct any and all deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. You may be hearing from our office, or from federal authorities, if your services should be needed during the administrative hearing process if required.

Sincerely,

[name]
Title VI Coordinator
North Central Regional Transit District

North Central Regional Transit District
Title VI Coordinator
1327 N. RIVERSIDE DR., ESPAÑOLA,
(505) 629-4713-tel. (505) 747-3640-fax
www.ncrtd.org

APPENDIX D

INVESTIGATION LOG REPORT

	Date (Month, Day, Year)	Summary (Include basis of complaint: race, color, or national origin)	Status	Actions(s) Taken
Investigations				
1.				
2.				
3.				
4.				
Lawsuits				
1.				
2.				
3.				
4.				
Complaints				
1.				
2.				
3.				
4.				

APPENDIX E

Staff LEP Survey

STAFF LEP SURVEY

The NCRTD is studying the language assistance needs of its riders so that we can better communicate with them and increase ridership. Please complete the following survey and return it to X by X.

How often do you come into contact with passengers who do not speak English or have trouble understanding you when you speak English to them? (Circle one)

DAILY WEEKLY MONTHLY LESS FREQUENTLY

What languages do these passengers speak? Please list.

What foreign languages other do you understand or speak?

Would you be willing to serve as a translator when needed?

APPENDIX F

Title VI Assurance and Resolutions
Approving This Document

TITLE VI CERTIFICATION AND ASSURANCE

Policy Statement

The North Central Regional Transit District (NCRTD) is committed to ensuring that no person is excluded from participation in, or denied the benefits of, or be subject to discrimination in the receipt of its services or programs on the basis of race, color, national origin or any other characteristics protected by law, including Title VI of the Civil Rights Act of 1964, as amended. Further, under the Americans with Disability Act (ADA) of 1990, no entity shall discriminate against an individual with a physical or mental disability in connection with the provision of transportation service. To obtain more information on NCRTD's nondiscrimination obligations or Title VI complaint procedure, please contact:

NCRTD Title VI Coordinator

North Central Regional Transit District

1327 North Riverside Drive

Espanola, NM 87532

For more information visit our website at www.ncrtd.org.

Recipient Certification and Assurance

In accordance with 49 CFR 21.7, The North Central Regional Transit District (NCRTD) hereby certifies and assures that it will carry out the Title VI Program in compliance with the Civil Rights Act of 1964, 42 U.S.C. Section 2000d *et* seq., codified in U.S. Department of Transportation (USDOT) Title 49 CFR Part 21 and detailed in Federal Transit Administration (FTA) Circular 4702.1B and Title 23 of the Code of Federal Regulations (CFR) Part 200.

The signatories below are duly authorized to take action on the NCRTD's Title VI Program, which was approved by the NCRTD Executive Board of Directors, on March 6, 2015.

Anthony J. Mortillaro — 3/4/16

Executive Director — Date

NCRTD OFFICIAL DOCUMENT

— 3/4/16

General Counsel — Date